



FITZPATRICK
37069-060605

**ROANOKE CITY COUNCIL
REGULAR SESSION**

**JUNE 6, 2005
9:00 A.M.**

ROOM 159

AGENDA

Call to Order--Roll Call. (Council Member Lea was absent.)

A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

**Approved (4-0) (Council Members Dowe, Lea and Vice-Mayor Fitzpatrick were not present when the vote was recorded.)
File #110-132**

A communication from Council Member Alfred T. Dowe, Jr., Chair, City Council's Personnel Committee, requesting that Council convene in a Closed Meeting to discuss the annual performance of three Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**Approved (4-0) (Council Members Dowe, Lea and Vice-Mayor Fitzpatrick were not present when the vote was recorded.)
File #132**

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

Approved (4-0) (Council Members Dowe, Lea and Vice-Mayor Fitzpatrick were not present when the vote was recorded.)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss terms of a public contract, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

Approved (4-0) (Council Members Dowe, Lea and Vice-Mayor Fitzpatrick were not present when the vote was recorded.)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

Approved (4-0) (Council Members Dowe, Lea and Vice-Mayor Fitzpatrick were not present when the vote was recorded.)

File #132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

Approved (4-0) (Council Members Dowe, Lea and Vice-Mayor Fitzpatrick were not present when the vote was recorded.)

File #132

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification, and additions/deletions to the 2:00 p.m. agenda. (15 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

Items for discussion at a joint meeting of Council and the City Planning Commission on Tuesday, July 5, 2005, at 12:00 p.m.

BRIEFINGS:

- Flood Reduction Project – 20 minutes
- Market Building Update – 15 minutes
- Space Assignment – Municipal North – 20 minutes
- Central Roanoke Mobility Study
(I-581/220 Corridor) – 15 minutes
- Upkeep of Roanoke River – 20 minutes



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**JUNE 6, 2005
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

**1. Call to Order--Roll Call. (Council Member Lea was
absent.)**

The Invocation was delivered by Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America
was led by Mayor Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday,
June 9, 2005, at 7:00 p.m., and Saturday, June 11, 2005, at 4:00 p.m.
Council meetings are offered with closed captioning for the hearing
impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution paying tribute to George C. "Chip" Snead, Jr., Assistant City Manager for Operations for the City of Roanoke.

Adopted Resolution No. 37069-060605. (6-0)

File #80

3.

CONSENT AGENDA

Approved (6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, April 18, 2005, and recessed until Thursday, April 28, 2005.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to proposed conveyance of property rights to the Roanoke Regional Airport Commission.

RECOMMENDED ACTION: Concur in the request.

File #9-132

- C-3 Minutes of a meeting of the Audit Committee which was held on Monday, May 2, 2005.

RECOMMENDED ACTION: Receive and file.

File #300

- C-4 A communication from Samuel G. Oakey, III, tendering his resignation as a member of the Roanoke Public Library Board.

RECOMMENDED ACTION: Accept resignation and receive and file the communication.

File #323

- C-5 Qualification of the following persons:

The Honorable M. Rupert Cutler as a member of the Roanoke Valley Area Metropolitan Planning Organization for a term ending June 30, 2008; and as a member of the Roanoke Valley Allegheny Regional Commission for a term ending June 30, 2008;

Robert H. Logan, III, as a member of the Roanoke Valley Allegheny Regional Commission, to fill the unexpired term of

Jennifer L. Pfister, resigned, ending June 30, 2006;
Aaron Ewert, Sherman P. Lea, Jr., and Antwan Lawton as members of the Youth Services Citizen Board, for terms ending May 31, 2008; and

John B. Williamson, III, as a member of the Board of Directors, Western Virginia Water Authority, to fill the unexpired term of George W. Logan, resigned, ending March 1, 2008.

**RECOMMENDED ACTION: Receive and file.
File #110-200-304-326-468**

REGULAR AGENDA

4. PUBLIC HEARINGS:

- a. Proposal to adjust the Fiscal Year 2004-05 General Fund budget, in connection with appropriation of funds for Social Service/Human Service programs.
**Adopted Budget Ordinance No. 37070-060605. (6-0)
File #60-72**

5. PETITIONS AND COMMUNICATIONS: NONE.

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

ITEMS RECOMMENDED FOR ACTION:

- 1. Execution of a contract with staff of the Fifth Planning District Commission Disability Services Board to provide continuing local administrative staff support; and appropriation of funds.
**Adopted Budget Ordinance No. 37071-060605 and
Resolution No. 37072-060605. (6-0)
File #60-438**

2. Transfer of funds in connection with recommendations of the Human Services Advisory Board to various non-profit agencies and performance audits for Fiscal Year 2005-06; and transfer of funds.
Adopted Budget Ordinance No. 37073-060605 and Resolution No. 37074-060605. (6-0)
File #60-318
3. Transfer of \$335,512.00 in connection with recommendations of the Roanoke Arts Commission Agency Funding Advisory Committee to specific Art Commission agencies.
Adopted Budget Ordinance No. 37075-060605. (6-0)
File #60-230
4. Execution of Amendment No. 7 to the agreement with Rosser International, Inc., in connection with Civic Center Facilities Expansion and Renovation Project, Phase II.
Adopted Resolution No. 37076-060605. (6-0)
File #60-192
5. Acceptance of re-allocated funds from the State Compensation Board for equipment replacement in the Commonwealth Attorney's Office.
Adopted Budget Ordinance No. 37077-060605. (6-0)
File #60-108-133
6. Appropriation of funds from the Western Virginia Water Authority for street maintenance.
Adopted Budget Ordinance No. 37078-060605. (6-0)
File #60-468-514
7. Appropriation of funds for the Outreach Detention/Electronic Monitoring Program.
Adopted Budget Ordinance No. 37079-060605. (6-0)
File #60-304

8. Execution of a Performance Agreement with FreightCar Roanoke, Inc., and a request for Governor's Opportunity Funds in the amount of \$200,000.00.

Adopted Budget Ordinance No. 37080-060605 and Ordinance No. 37081-060605. (6-0)
File #60-533

9. Execution of an Amendment to the Agreement dated December 20, 2004, with Colonial Green, L.C., in connection with development of the Colonial Green project.

Adopted Ordinance No. 37082-060605. (6-0)
File #450

b. CITY ATTORNEY:

1. Amendment to the City Code to impose a mandatory minimum fine for certain types of graffiti and reducing certain time requirements for notices.

Adopted Ordinance No. 37083-060605. (6-0)
File #5-24-95-133

2. Readoption and reenactment of the Code of the City of Roanoke (1979), as amended.

Adopted Ordinance No. 37084-060605. (6-0)
File #24

3. Execution of an amendment to the Consolidated Plan for Fiscal Year 2000-2005 to provide for redesignation of certain Community Development Block Grant and HOME Investment Partnership funds.

Adopted Resolution No. 37085-060605. (6-0)
File #178-200-236

c. DIRECTOR OF FINANCE:

1. Financial report for the month of April 2005.

Received and filed.
File #10

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Council Member Dowe congratulated organizers of Roanoke's Festival in the Park, 2005 Young Heroes, Women's Leadership Awards, and Roanoke Branch NAACP Citizen of the Year.
File #80-132**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

**Kelly Crovo, City Market Building tenant, inquired if the City Market study will include the entire downtown area, what are the City's plans with regard to attracting more businesses to downtown Roanoke, and why is the new art museum project in downtown Roanoke moving forward prior to completion of the City Market study. He questioned the amount of time it has taken to draft a standard lease with a non-compete clause for City Market building tenants.
File #42-373**

Anita Wilson, City Market Building tenant, advised that City Market building tenants would like to work with the City to reach an agreement on a uniform lease.

File #42-373

Marion Vaughn-Howard spoke as a City employee and a citizen of the City of Roanoke and expressed appreciation to Council for the City Employee Student Tuition Reimbursement Program. As a recent graduate of Mary Baldwin College, she presented a Certificate of Appreciation for the City's Assistance through the Tuition Reimbursement Program.

File #80-184

Robert Gravely, 729 29th Street, N. W., spoke with regard to providing more jobs for the citizens of Roanoke and an improved pay scale, the need to reinvent downtown Roanoke in order to bring growth to the City, and the need for demolition of older buildings in downtown Roanoke to make room for new buildings which will enable the City of Roanoke to be marketed at state and national levels.

File #66-450

12. CITY MANAGER COMMENTS: NONE.

CERTIFICATION OF CLOSED SESSION. (6-0)